
HOUSE BILL 1572

State of Washington

60th Legislature

2007 Regular Session

By Representatives Quall, Priest, Barlow, P. Sullivan, Haigh, McDermott, Kenney and Ormsby; by request of Superintendent of Public Instruction

Read first time 01/23/2007. Referred to Committee on Education.

1 AN ACT Relating to granting authority to the superintendent of
2 public instruction to enter into and participate in joint purchasing
3 and master price agreements; and amending RCW 28A.300.040 and
4 28A.320.080.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 28A.300.040 and 2006 c 263 s 104 are each amended to
7 read as follows:

8 In addition to any other powers and duties as provided by law, the
9 powers and duties of the superintendent of public instruction shall be:

10 (1) To have supervision over all matters pertaining to the public
11 schools of the state;

12 (2) To report to the governor and the legislature such information
13 and data as may be required for the management and improvement of the
14 schools;

15 (3) To prepare and have printed such forms, registers, courses of
16 study, rules for the government of the common schools, and such other
17 material and books as may be necessary for the discharge of the duties
18 of teachers and officials charged with the administration of the laws

1 relating to the common schools, and to distribute the same to
2 educational service district superintendents;

3 (4) To travel, without neglecting his or her other official duties
4 as superintendent of public instruction, for the purpose of attending
5 educational meetings or conventions, of visiting schools, and of
6 consulting educational service district superintendents or other school
7 officials;

8 (5) To prepare and from time to time to revise a manual of the
9 Washington state common school code, copies of which shall be provided
10 in such numbers as determined by the superintendent of public
11 instruction at no cost to those public agencies within the common
12 school system and which shall be sold at approximate actual cost of
13 publication and distribution per volume to all other public and
14 nonpublic agencies or individuals, said manual to contain Titles 28A
15 and 28C RCW, rules related to the common schools, and such other matter
16 as the state superintendent or the state board of education shall
17 determine. Proceeds of the sale of such code shall be transmitted to
18 the public printer who shall credit the state superintendent's account
19 within the state printing plant revolving fund by a like amount;

20 (6) To file all papers, reports and public documents transmitted to
21 the superintendent by the school officials of the several counties or
22 districts of the state, each year separately. Copies of all papers
23 filed in the superintendent's office, and the superintendent's official
24 acts, may, or upon request, shall be certified by the superintendent
25 and attested by the superintendent's official seal, and when so
26 certified shall be evidence of the papers or acts so certified to;

27 (7) To require annually, on or before the 15th day of August, of
28 the president, manager, or principal of every educational institution
29 in this state, a report as required by the superintendent of public
30 instruction; and it is the duty of every president, manager, or
31 principal, to complete and return such forms within such time as the
32 superintendent of public instruction shall direct;

33 (8) To keep in the superintendent's office a record of all teachers
34 receiving certificates to teach in the common schools of this state;

35 (9) To issue certificates as provided by law;

36 (10) To keep in the superintendent's office at the capital of the
37 state, all books and papers pertaining to the business of the

1 superintendent's office, and to keep and preserve in the
2 superintendent's office a complete record of statistics, as well as a
3 record of the meetings of the state board of education;

4 (11) With the assistance of the office of the attorney general, to
5 decide all points of law which may be submitted to the superintendent
6 in writing by any educational service district superintendent, or that
7 may be submitted to the superintendent by any other person, upon appeal
8 from the decision of any educational service district superintendent;
9 and the superintendent shall publish his or her rulings and decisions
10 from time to time for the information of school officials and teachers;
11 and the superintendent's decision shall be final unless set aside by a
12 court of competent jurisdiction;

13 (12) To administer oaths and affirmations in the discharge of the
14 superintendent's official duties;

15 (13) To deliver to his or her successor, at the expiration of the
16 superintendent's term of office, all records, books, maps, documents
17 and papers of whatever kind belonging to the superintendent's office or
18 which may have been received by the superintendent's for the use of the
19 superintendent's office;

20 (14) To administer family services and programs to promote the
21 state's policy as provided in RCW 74.14A.025;

22 (15) To promote the adoption of school-based curricula and policies
23 that provide quality, daily physical education for all students, and to
24 encourage policies that provide all students with opportunities for
25 physical activity outside of formal physical education classes;

26 (16) To enter into, facilitate, or administer master price
27 agreements or joint purchasing contracts with vendors of goods and
28 services, private nonprofit organizations, school districts, and
29 educational service districts. These agreements or contracts shall be
30 in compliance with all applicable state or federal law. Administration
31 may include charging and collecting reasonable fees from participants
32 for the actual cost of administering such agreements or contracts. The
33 superintendent may adopt rules under chapter 34.05 RCW as are necessary
34 to implement this subsection. Nothing in this subsection affects the
35 authority of educational service districts or school districts to enter
36 into, facilitate, or administer joint contracts or purchasing
37 agreements; and

38 (17) To perform such other duties as may be required by law.

1 **Sec. 2.** RCW 28A.320.080 and 1995 c 77 s 21 are each amended to
2 read as follows:

3 Every board of directors, unless otherwise specifically provided by
4 law, shall:

5 (1) Provide for the expenditure of a reasonable amount for suitable
6 commencement exercises;

7 (2) In addition to providing free instruction in lip reading for
8 children disabled by defective hearing, make arrangements for free
9 instruction in lip reading to adults disabled by defective hearing
10 whenever in its judgment such instruction appears to be in the best
11 interests of the school district and adults concerned;

12 (3) Join with boards of directors of other school districts or an
13 educational service district pursuant to RCW 28A.310.180(3) or the
14 office of the superintendent of public instruction, or (~~both~~) a
15 combination of such school districts and educational service district
16 and the office of the superintendent of public instruction in buying
17 supplies, equipment and services by establishing and maintaining a
18 joint purchasing agency, or otherwise, when deemed for the best
19 interests of the district, any joint agency formed hereunder being
20 herewith authorized and empowered to issue interest bearing warrants in
21 payment of any obligation owed: PROVIDED, HOWEVER, That those agencies
22 issuing interest bearing warrants shall assign accounts receivable in
23 an amount equal to the amount of the outstanding interest bearing
24 warrants to the county treasurer issuing such interest bearing
25 warrants: PROVIDED FURTHER, That the joint purchasing agency shall
26 consider the request of any one or more private schools requesting the
27 agency to jointly buy supplies, equipment, and services including but
28 not limited to school bus maintenance services, and, after considering
29 such request, may cooperate with and jointly make purchases with
30 private schools of supplies, equipment, and services, including but not
31 limited to school bus maintenance services, so long as such private
32 schools pay in advance their proportionate share of the costs or
33 provide a surety bond to cover their proportionate share of the costs
34 involved in such purchases;

35 (4) Consider the request of any one or more private schools
36 requesting the board to jointly buy supplies, equipment and services
37 including but not limited to school bus maintenance services, and,
38 after considering such request, may provide such joint purchasing

1 services: PROVIDED, That such private schools pay in advance their
2 proportionate share of the costs or provide a surety bond to cover
3 their proportionate share of the costs involved in such purchases; and
4 (5) Prepare budgets as provided for in chapter 28A.505 RCW.

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